

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

<b>DANNY L. WALKINGSTICK,</b>	)	
<b>WHITNYE A. FORT, on behalf of the</b>	)	
<b>themselves and all other similarly</b>	)	
<b>situated,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>SIMMONS BANK,</b>	)	
	)	
<b>Defendant.</b>	)	

**UNOPPOSED MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiffs, Danny L. Walkingstick and Whitnye A. Fort, under Federal Rule of Civil Procedure 23(e)(1), hereby move the Court for entry of the tendered Preliminary Approval Order, which:

1. Preliminarily approves the class action Settlement Agreement and Release (the “Settlement”, which is attached as Exhibit 1 to the Declaration of Lynn A. Toops in Support of the Unopposed Motion for Preliminary Approval of Class Action Settlement);
2. Certifies the Settlement Class, appoints Plaintiffs as Class Representatives, and appoints Plaintiffs’ Counsel as Class Counsel;
3. Approves the proposed notice plan and deadlines for Class Members to object to or opt-out of the proposed Settlement; and

4. Schedules a final approval hearing for a date approximately 120 days after preliminary approval, or as soon thereafter as the Court's schedule permits, as set forth in this table of proposed deadlines:

**PROPOSED APPROVAL TIMELINE**

<b>Event</b>	<b>Time for Compliance</b>
Deadline for Settlement Administrator to E-mail and Mail Notice ("Notice Deadline")	45 days after entry of the Preliminary Approval Order
Deadline for any motions requesting attorneys' fees, expenses, and service awards	15 days before the Objection Deadline
Deadline for Class Members to object ("Objection Deadline")	45 days after the Notice Deadline
Deadline for members the Class to opt-out	45 days after the Notice Deadline
Deadline for Motion for Final Approval of Class Action Settlement	14 days before the Final Approval Hearing
Final Approval Hearing	Approximately 120 days after entry of the Preliminary Approval Order or as soon thereafter as the Court's schedule permits

This motion is made on the grounds that the Settlement is the product of arm's-length negotiations by informed counsel and is a fair, reasonable, and adequate compromise of the claims brought in this case. Class Counsel met and conferred with counsel for Defendant about this motion, and Defendant does not oppose the relief requested by this motion.

Dated: May 6, 2022

Respectfully submitted,

s/ Lynn A. Toops

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on the following parties by the Court's ECF system on May 6, 2022:

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s/Lynn A. Toops  
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